

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe Cormont, et al.)	
)	Confirmation No : 7225
Serial No.: 10/570,726)	
)	
Title: Method and Device for Lithography by)		Group Art Unit: To be assigned
Extreme Ultraviolet Radiation)	
)	
Filed: March 6, 2006)	Examiner: To be assigned
)	

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
PURSUANT TO 37 C.F.R §1.181(a)**

MS PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sirs:

On September 20, 2006, the U.S. Patent and Trademark Office issued a Notification of Abandonment regarding the above-referenced application. By way of this submission, applicants respectfully petition for the withdrawal of such holding of abandonment pursuant to the provisions of 37 C.F.R. §1.181(a).

As applicants contend that the application is not in fact abandoned, a petition fee is not required. In addition, as this petition is filed well within the first two months of receipt of the notification of abandonment, it is timely filed.

The facts upon which this petition is based are as follows:

- 1 French patent application No. 0310547, the parent of the above-referenced national phase application, was filed on September 5, 2003.
- 2 PCT application No. PCT/FR04/002226, which claimed priority to the above-referenced French patent application, was timely filed on September 1, 2004.
- 3 Pursuant to the national phase provisions of the Patent Cooperation Treaty, applicant had a total of thirty (30) months of the priority date of September 5, 2003, to file a national phase patent application with the U.S. Patent and Trademark Office. Thirty (30) months from that priority date would have been March 5, 2006.
- 4 However, as March 5, 2006, fell on a Sunday, the provisions of 37 C.F.R. §1.7 state that the application may be filed on the next succeeding business day, which is not a Saturday, Sunday or a federal holiday. In this case, that next succeeding business day would have been March 6, 2006.
- 5 In fact, on March 6, 2006, the above-referenced U.S. patent application (Serial No. 10/570,726) was filed with the U.S. Patent and Trademark Office.
- 6 As evidence of the filing of the above-referenced national stage application on March 6, 2006, enclosed are copies of:
 - (a) the transmittal letter concerning a submission under 35 USC §371 filed with the application;
 - (b) the certification under 37 CFR 1.10 certifying the application was filed by the Express Mail provisions of the U.S. Postal Service on March 6, 2006;
 - (c) a copy of Express Mail Certificate No. EV841156619US showing a "Date Accepted" of March 6, 2006; and

- (d) a copy of the return receipt postcard filed with the application on March 6, 2006, showing a stamp from the U.S. Patent and Trademark Office of March 6, 2006

7 As the thirty (30) month deadline for filing a national phase application was March 6, 2006, and the enclosed documents clearly establish that the application was in fact filed on March 6, 2006, the national phase application was timely filed

8. The Notification of Abandonment specifically states that the application was purportedly abandoned for “failure to provide the full U S Basic National Fee by 30 months”. However, the full U.S Basic National Fee for a large entity is \$300, and in fact, such fee was filed by way of check along with the application as filed. As evidence of the check being filed with the U S Patent and Trademark Office, enclosed are copies of:

- (a) the return receipt postcard referenced above identifying under its item number 6 that our check No 0375, in the amount of \$300, was enclosed with the filing;
- (b) the aforementioned submission under 35 USC §371 also stating that our check in the amount of \$300 is enclosed;
- (c) the certification under 37 CFR 1.10 identifying under its item E, that our check in the amount of \$300 was enclosed with the filing; and
- (d) a copy of our check number 0375, in the amount of \$300, made payable to the U.S. Patent and Trademark Office, and cleared by our bank.

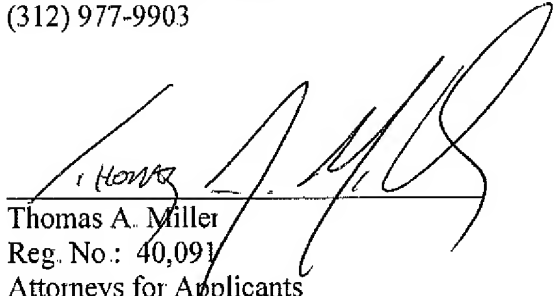
In light of all the foregoing, applicants respectfully submit not only that the above-referenced national phase application was timely filed within the thirty (30) month time period established by statute, but that the filing specifically included the U.S. Basic National Fee under 37 CFR 1.495(b)(2). Applicants therefore respectfully petition for the notification of abandonment to be withdrawn.

Dated: September 27, 2006

Respectfully submitted,

MILLER, MATTHIAS & HULL
One North Franklin Street
Suite 2350
Chicago, Illinois 60606
(312) 977-9903

By:



Thomas A. Miller
Reg. No.: 40,091
Attorneys for Applicants

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 28944/50023
INTERNATIONAL APPLICATION NO PCT/FR2004/002226		INTERNATIONAL FILING DATE 01 September 2004
TITLE OF INVENTION METHOD AND DEVICE FOR LITHOGRAPHY BY EXTREME ULTRAVIOLET RADIATION		PRIORITY DATE CLAIMED 05 September 2003
APPLICANT(S) FOR DO/EO/US Philippe Cormont; Pierre-Yves Thro; and Charlie Vacher		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1 ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371
- 2 ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371
- 3 ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include Items (5), (6), (9) and (21) indicated below.
- 4 ☐ The US has been elected (Article 31)
- 5 ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a ☐ is attached hereto (required only if not communicated by the International Bureau)
 - b ☒ has been communicated by the International Bureau
 - c ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- 6 ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a ☒ is attached hereto.
 - b ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- 7 ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b ☐ have been communicated by the International Bureau.
 - c ☐ have not been made; however, the time limit for making such amendments has NOT expired
 - d ☒ have not been made and will not be made
- 8 ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3))
- 9 ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- 10 ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5))

Items 11 to 20 below concern document(s) or information included:

- 11 ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98
- 12 ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
- 13 ☒ A preliminary amendment
- 14 ☒ An Application Data Sheet under 37 CFR 1.76
- 15 ☐ A substitute specification
- 16 ☐ A power of attorney and/or change of address letter.
- 17 ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- 18 ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- 19 ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20 ☒ Other items or information: Return receipt postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/FR2004/002226		ATTORNEY'S DOCKET NUMBER 28944/50023	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300	\$	300.00	
22.	<input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				
If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)... \$0					
All other situations \$200			\$		
23.	<input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400					
All other situations \$500			\$		
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
40 - 100 =	/50 =		x \$250.00		
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x	50.00	\$
Independent claims	- 3 =		x	200.00	\$
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$	300.00
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Fees above are reduced by 1/2				\$	
SUBTOTAL =				\$	300.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				+	\$
TOTAL NATIONAL FEE =				\$	300.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	300.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
a <input checked="" type="checkbox"/> A check in the amount of \$ 300.00 to cover the above fees is enclosed. b <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed. d <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
CUSTOMER NUMBER: 57726					
Thomas A. Miller					
Miller, Matthias & Hull					
One North Franklin					
Suite 2350					
Chicago, IL 60606					
				SIGNATURE:	
				NAME: Thomas A. Miller	
				REGISTRATION NUMBER 40,091	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frédéric Rousseau) "EXPRESS MAIL"
) mailing label No :
U.S. National Phase of) EV841156619US
International Application No.)
PCT/FR2004/002226) Date of Deposit: March 6, 2006
)
International Filing Date:) I hereby certify that this
) paper (or fee) is being
01 September 2004) deposited with the United
) States Postal Service "EXPRESS
Filed: Herewith (March 6, 2006)) MAIL POST OFFICE TO ADDRESSEE"
) service under 37 CFR §1.10 on
For: Method and Device for) the date indicated above and is
Lithography by Extreme) addressed to: Mail Stop PCT,
Ultraviolet Radiation) Commissioner for Patents, P.O.
) Box 1450, Alexandria, VA 22313-
Group Art Unit: Not Yet Assigned) 1450
)
Examiner: Not Yet Assigned)
)
Attorney Docket No. 28944/50023) Gina Knauer
) Gina Knauer

CERTIFICATION UNDER 37 CFR 1.10

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify the attached items are being
deposited with the United States Postal Service on March 6,
2006 in an envelope addressed to Mail Stop PCT, Commissioner
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
utilizing the "Express Mail Post Office to Addressee" service
of the United States Postal Service under Mailing No
EV841156619US.

- a. Transmittal letter to the United States
Designated/Elected Office (DO/EO/US)
concerning a filing under 35 U.S.C. 371;
- b. English language translation of International
Application No. PCT/FR2004/002226;
- c. Application Data Sheet;
- d. Preliminary Amendment
- e. Check in the amount of \$300.00; and
- f. Return Postcard Receipt

Gina Knauer
Gina Knauer



EV 841156619 US



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Label 11-F April 2004

Post Office To Addressee

ORIGIN (POSTAL SERVICE USE ONLY)		
PO ZIP Code 00606	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ 14.40
Date Accepted 03/06	Scheduled Date of Delivery Month 03 Day 07	Return Receipt Fee \$
Mo. Day Yes	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Time Accepted <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee \$
Flat Rate <input type="checkbox"/> or Weight lbs. ozs.	Int'l Alpha Country Code	Total Postage & Fees \$ 14.40
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Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
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FROM: (PLEASE PRINT)	
PHONE () 312 977-990262	
MILLER MATTHIAS & HULL N FRANKLIN ST STE 2350 CHICAGO IL 60606-3545 Attention: Thomas A. Miller 28944/50023	

TO: (PLEASE PRINT)	
PHONE ()	
MS PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	

FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811

The Patent Office is hereby requested to acknowledge receipt of the following papers by stamping and returning this card

Title: Method and Device for Lithography By Extreme Ultraviolet Radiation

Inventors: Philippe Cormont et al.

Attorney Docket: 28944/50023 -

Filed: Herewith (March 6, 2006)

AP7 Rec'd PCT/PTO 06 MAR 2006

10/570726

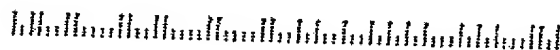
1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371
2. Certificate Under 37 CFR 1.10
3. Application Data Sheet
4. English language translation of International Application No PCT/FR04/002226
5. Preliminary Amendment
6. Check No 0375 in the amount of \$300.00

Mailing Date: March 6, 2006

Express Mail No.: EV841156619US



MILLER, MATTHIAS & HULL
One North Franklin Street
Suite 2350
Chicago, IL 60606



[illegible]

MILLER, MATTHIAS & HULL
ONE N. FRANKLIN ST. - STE. 2350
CHICAGO, ILLINOIS 60606-3545

0375

2-50/7-10

DATE 3-6-2000

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0003 7515:021000505: 52015311120

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CHICAGO IL 60606-3545

APR 06 2006

Statement Date:
Page 1 of 10
Account Number

03/31/06
5201531117



Statement Period:

5201531117
03/01/06 - 03/31/06

Beginning Balance:
Deposits and Additions:
Checks/Debits/Fees:
Ending Balance:

116,473.98
128,300.91
161,413.65
83,361.24

Checks

Date	Check #	Reference	Amount	Date	Check #	Reference	Amount
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03/21/06	369	32539423	2,488.12	03/29/06	401	65940301	1,040.00
03/21/06	370	91203156	3,135.08	03/29/06	402	65940287	1,703.00
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03/16/06	373	74252703	2,017.62	03/30/06	405	33390773	1,400.00
03/15/06	374	46242698	630.00	03/30/06	406	33390771	1,400.00
03/16/06	375	74260518	300.00	03/30/06	407	33390772	1,400.00

* Indicates preceding check(s) not processed this statement period (checks could be listed below under Automated Checks).

ATM and Point of Sale Transactions

Date	Description	Effective Dt/ Card #	Withdrawals	Deposits
03/02/06	MERCHANT PURCHASE FEDEX SHP 02/23/06 AB# 851-750290022	0400430062	33.71	

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DATE 3-6-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 630.00		
Six Hundred Thirty and 00/100		
FOR <i>B. J. L. H.</i>		
000374 40740005054 5201531117* /0000063000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0375
DATE 3-6-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 300.00		
Three Hundred and 00/100		
FOR <i>B. J. L. H.</i>		
000375 40740005054 5201531117* /0000030000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0376
DATE 3-8-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 100.00		
One Hundred and 00/100		
FOR <i>B. J. L. H.</i>		
000376 40740005054 5201531117* /0000010000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0377
DATE 3-9-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,000.00		
One Thousand and 00/100		
FOR <i>B. J. L. H.</i>		
000377 40740005054 5201531117* /0000100000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0378
DATE 3-9-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,000.00		
One Thousand and 00/100		
FOR <i>B. J. L. H.</i>		
000378 40740005054 5201531117* /0000100000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0379
DATE 3-9-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,000.00		
One Thousand and 00/100		
FOR <i>B. J. L. H.</i>		
000379 40740005054 5201531117* /0000100000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0380
DATE 3-9-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,000.00		
One Thousand and 00/100		
FOR <i>B. J. L. H.</i>		
000380 40740005054 5201531117* /0000100000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0381
DATE 3/13/06 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,240.00		
One Thousand Two Hundred Forty and 00/100		
FOR <i>B. J. L. H.</i>		
000381 40740005054 5201531117* /0000124000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0382
DATE 3-15-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,700.00		
One Thousand Seven Hundred and 00/100		
FOR <i>B. J. L. H.</i>		
000382 40740005054 5201531117* /0000170000/		

MILLER, MATTHIAS & HULL ONE N. FRANKLIN ST. STE. 2350 CHICAGO, ILLINOIS 60606-3545		0383
DATE 3-15-2006 2:50/710		
PAY TO THE ORDER OF U.S. PATENT & TRADEMARK OFFICE \$ 1,260.00		
One Thousand Two Hundred Sixty and 00/100		
FOR <i>B. J. L. H.</i>		
000383 40740005054 5201531117* /0000126000/		